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ABSTRACT

This paper discusses the special problems and factors to be considered by school board members during contract negotiations with school district administrative personnel. The author first describes the primary bargaining goals of educational administrators and then offers general guidelines to aid school board members in successfully planning and conducting collective negotiations. In conclusion, the author presents several criteria for analyzing the value of specific contract clauses and for evaluating the viability of an entire contract proposal. (JG)

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"BARGAINING WITH ADMINISTRATORS"
(Clinic D-55)

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BARGAINING WITH ADMINISTRATORS

The subject "Bargaining With Administrators" requires us to make several analyses and answer several questions which are not present when dealing with other groups of school district employees.

The state laws in each of your states vary as to a requirement to bargain with administrators in that some states bar such negotiations, other states permit negotiations with certain identified groups of administrators, and some either permit or require negotiations with all administrators. Despite these differences there are some general rules to be considered in dealing with your administrators, either in formal negotiations or in individual contracts.

It is impossible to examine in detail all of the questions which one might ask in this subject area in the limited time available. However, I will attempt to identify the most important aspects of this subject.

In preparation for bargaining with administrators, and I include in that term not merely educational administrators, but also supervisors of nonteaching areas, there is one aspect which should never be forgotten — THESE PEOPLE ARE THE MANAGEMENT CADRE UPON WHOM WE RELY.

In the last five years administrators at all levels have found themselves threatened from within and without. First they have had thrust upon them the unionization of the people whom they are required to supervise. This has presented an identification crisis since they heretofore considered themselves as a kind of master teacher and not really as supervisor of other people's "work". Now they are forced to choose between the role of supervisor or returning to the classroom whence they came. The unions have of course attempted to widen this breach by attempting to identify administrators as persons who are "negotiating against teachers".

On the other side administrators have been called upon by boards of education, at the demand of taxpayers, to be acccuntable for the progress of education not only in educating our children but in solving the social ills which many people seek to thrust upon our schools. Surely, administrators have found themselves at the "Eye of the Hurricane".

The number one concern of administrators today is job security. This will take many forms at a bargaining table as a natural consequence of the events which have taken place in the recent past. Their interests at the bargaining table will focus heavily on items of working conditions which they hope will improve their ability to manage. In short, they will be looking for ways to improve their ability to do their jobs. This does not mean that there will not be demands for money and fringe benefit items, since they too wish to keep pace with the economy and with other employee groups. Nor does this mean that you must give them everything they ask for, but it does mean that you should be able to speak frankly since they do, or should, know the day-to-day workings of the school district better than any other group.

Do not anticipate that merely because they know your problems they will be willing to settle for less than other groups, but at least it should be possible to conserve some of the time usually needed to explain the rationale for your positions since administrators participate in staff meetings and other decisional processes and are familiar with your problems, positions, and ideas.

Having recognized the task which faces the administrators, we must as school board members resolutely come to grips with balancing the equities between maintaining an adequate administrative staff to provide quality education, satisfying our taxpayers that we are not overstaffed, and reaching agreement with administrators without alienating any interest group, administrator, taxpayer, or teacher. How do we do it? There are no simple answers, no magic formula which assures success, but here are some basic rules.

BE REALISTIC

You need administrators and they need you.

Outline your expectations and your budget limitations, and strive to achieve the expectations within those limitations.

BE PREPARED

Negotiating requires two kinds of preparation. First, and the most obvious, is to provide your negotiator with adequate research on the items to be negotiated. You should be aware of area wage scales, both public and private, what fringe benefits have been generally granted, and how much they will cost. Remember that a fringe benefit once granted is very difficult to take away. We did a study of health insurance costs about a year ago which showed that health insurance costs over six years had increased at a greater rate than had wages. This is a "hidden cost" in your contract, but it is a real cost in your budget.

Secondly, board members and chief school officers should be prepared psychologically for negotiations. A few basic suggestions:

Don't panic.

Don't feel obligated to respond to every question and every comment.

Expect that people will threaten to strike if they don't get their demands.

Remember that negotiations is a business proposition — you are not negotiating educational policy.

PROVE YOUR INTEGRITY

Have a record of backing up your administrators whenever they are right.

Mutual trust is a prime ingredient in developing a management team, and will pay dividends at the bargaining table.

NO SWEETHEART CONTRACTS

If your administrator unit is not affiliated with a union, don't negotiate or give away anything with the idea that you will keep your administrators out of a particular union. Sweetheart contracts don't work — you wind up giving everything away and then they join the union anyway.

HAVE DEMANDS OF YOUR OWN

You should prepare demands or counter proposals which have been developed by your own negotiating team to assure that you get the things you want in a contract.

Negotiating is a two-way street. If you are bargaining your first contract you will probably be more able to make counter proposals, however, if you are negotiating a second or later contract there will be things in the prior contract which you have found difficult to administer, too costly, or otherwise onerous. These should serve as the basis for your list of demands at your bargaining session.

DON'T DO IT YOURSELF

Negotiations are not a "do-it-yourself" project. Subjects such as employee wages, fringe benefits, and issues which may affect the governance of the school district if carelessly drawn, require the attention of a person skilled in negotiations. You should secure someone with negotiations experience to negotiate your first few contracts, utilizing other personnel as resource persons to that negotiator. Perhaps the hardest lesson for school boards to learn in early days of public sector bargaining laws was how costly a poorly written contract could be.

If you take away from this meeting no other bit of information I would hope that it would be that negotiating is a specialty and should be done by someone who understands negotiating procedures, language, and the nuances that go with it. Just as you would not attempt to give the physical examinations in your local district but would hire a physician to do so, select with the same care an experienced negotiator.

As you attempt to carry out some of these basic rules, how can you assure yourself that you have followed the best course in your negotiations? Test yourself as you go along and as you review the progress of negotiations against certain criteria.

The first of these is to cost-out every item which is being considered at the bargaining table. Do not negotiate any subject until you know the cost.

Can your chief school officer administer the school and carry out his responsibilities if you grant the demand?

Are statutory duties of either the chief school officer or the board of education being invaded or usurped?

Is the contract clause consistent with established school policy and the contracts with other employee groups?

If each clause meets this test as you negotiate you could reach tentative agreement, but do not reach final agreement on any clause until you are ready to put the entire package together into a finished contract. At that point you should test the entire contract to be sure of at least the following three things.

You are completely sure of the total cost and are satisfied that you can pay for it.

That each clause means exactly what it is intended to mean and is easily understood by those who must administer it and those to whom it applies.

Last but not least — that you and your chief school officer will be able to carry out your educational responsibilities.